

## DECLARATION

**COPY**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **APPARATUS AND METHODS FOR MATERIAL CAPTURE AND REMOVAL** the specification of which   X   is attached hereto or \_\_\_\_\_ was filed on \_\_\_\_\_ as Application No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

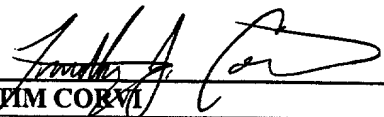
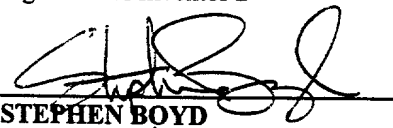



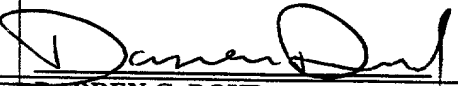
I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

Full Name of Inventor 1:	Last Name: <b>CORVI</b>	First Name: <b>TIM</b>	Middle Name or Initial:	
Residence & Citizenship:	City: <b>Belmont</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>2730 Sequoia Way</b>	City: <b>Belmont</b>	State/Country: <b>California</b>	Postal Code: <b>94002</b>
Full Name of Inventor 2:	Last Name: <b>BOYD</b>	First Name: <b>STEPHEN</b>	Middle Name or Initial:	
Residence & Citizenship:	City: <b>Moss Beach</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>200 Marine Blvd.</b>	City: <b>Moss Beach</b>	State/Country: <b>California</b>	Postal Code: <b>94038</b>

Full Name of Inventor 3:	Last Name: <b>FOLLMER</b>	First Name: <b>BRETT</b>	Middle Name or Initial:	
Residence & Citizenship:	City: <b>Santa Clara</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>1690 Civic Center Dr. #101</b>	City: <b>Santa Clara</b>	State/Country: <b>California</b>	Postal Code: <b>95050</b>
Full Name of Inventor 4:	Last Name: <b>STINE</b>	First Name: <b>JOHN</b>	Middle Name or Initial: <b>G.</b>	
Residence & Citizenship:	City: <b>San Jose</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>6554 Devonshire Drive</b>	City: <b>San Jose</b>	State/Country: <b>California</b>	Postal Code: <b>95129</b>
Full Name of Inventor 5:	Last Name: <b>SNOW</b>	First Name: <b>DAVID</b>	Middle Name or Initial: <b>W.</b>	
Residence & Citizenship:	City: <b>San Carlos</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>930 Buckland Avenue</b>	City: <b>San Carlos</b>	State/Country: <b>California</b>	Postal Code: <b>94070</b>
Full Name of Inventor 6:	Last Name: <b>DOUD</b>	First Name: <b>DARREN</b>	Middle Name or Initial: <b>G.</b>	
Residence & Citizenship:	City: <b>San Jose</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>1040 Belvedere Lane</b>	City: <b>San Jose</b>	State/Country: <b>California</b>	Postal Code: <b>95129</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  <b>JIM CORVI</b>	Signature of Inventor 2  <b>STEPHEN BOYD</b>	Signature of Inventor 3  <b>BRETT FOLLMER</b>
Date <b>8/2/99</b>	Date <b>7/29/99</b>	Date <b>29/JUL/99</b>
Signature of Inventor 4  <b>JOHN G. STINE</b>	Signature of Inventor 5  <b>DAVID W. SNOW</b>	Signature of Inventor 6  <b>DARREN G. DOUD</b>
Date <b>30 JULY 99</b>	Date <b>29 JUL 99</b>	Date <b>08/2/99</b>

# COPY

Attorney Docket No.: 18489-001600US

## POWER OF ATTORNEY BY ASSIGNEE

FOX HOLLOW TECHNOLOGIES, INC., located at 3355 Edison Way,  
Menlo Park, California 94025, is the Assignee of the invention entitled:

### APPARATUS AND METHODS FOR MATERIAL CAPTURE AND REMOVAL

The specification of which is filed herewith.

The Assignment accompanying this Power of Attorney has been reviewed by the undersigned. The undersigned certifies that to the best of the undersigned's knowledge and belief, title is in the Assignee. The undersigned (whose title is supplied below) is empowered to act on behalf of the Assignee.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

<u>Name</u>	<u>Reg. No.</u>	<u>Name</u>	<u>Reg. No.</u>
Aka, Gary T.	29,038	Heckadon, David R.	Granted Limited Recognition under 37 CFR §10.9(b)
Apple, Randolph T.	36,429		
Barrish, Mark D.	36,443	Heslin, James M.	29,541
Colwell, Robert C.	27,431	Liebeschuetz, Joe	37,505
Dow, Karen B.	29,684	Powers, Margaret A.	39,804
Gibby, Darin J.	38,464	Slone, David N.	28,572
Hann, James F.	29,719	Smith, William M.	30,223
Haughey, Paul C.	31,836	Storella, John R.	32,994

*Send Correspondence to:*

**JAMES M. HESLIN, ESQ.**  
Townsend and Townsend and Crew LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834

*Direct Telephone Calls to:*

**JAMES M. HESLIN**  
Reg. No. 29,541

650/326-2400

**FOX HOLLOW TECHNOLOGIES, INC.**

Date: 29 Sep 99

By: 

Print Name: David W. Snow

Title: VICE PRESIDENT, RESEARCH & DEVELOPMENT

**ASSIGNMENT OF PATENT APPLICATION**

JOINT

WHEREAS, **TIM CORVI**, of 2730 Sequoia Way, Belmont, California 94002; **STEPHEN BOYD**, of 200 Marine Blvd., Moss Beach, California 94038; **BRETT FOLLMER**, of 1690 Civic Center Dr. #101, Santa Clara, California 95050; **JOHN G. STINE**, of 6554 Devonshire Drive, San Jose, California 95129; **DAVID W. SNOW**, of 930 Buckland Avenue, San Carlos, California 94070; and **DARREN G. DOUD**, of 1040 Belvedere Lane, San Jose, California 95129, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **APPARATUS AND METHODS FOR MATERIAL CAPTURE AND REMOVAL**

Date(s) of execution  
of Declaration: JULY 29, 30 & AUGUST 2, 1999

Filing Date: Herewith

Application No.: Unassigned; and

WHEREAS, **FOX HOLLOW TECHNOLOGIES, INC.**, located at 3355 Edison Way, Menlo Park, California, 94025, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignment

Attorney Docket No.: 18489-001600US

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Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, California 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Date 29 JUL 99

  
TIM CORVI

Date 2 AUG 99

  
STEPHEN BOYD

Date 29 JUL 99

  
BRETT FOLLMER

Date 30 JULY 99

  
JOHN G. STINE

Date 29 JUL 99

  
DAVID W. SNOW

Date 2 AUG 99

  
DARREN G. DOUD

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